

1 WILDE & ASSOCIATES

2 Gregory L. Wilde, Esq.

3 Nevada Bar No. 004417

4 208 South Jones Boulevard

5 Las Vegas, Nevada 89107

6 Telephone: 702 258-8200

7 Fax: 702 258-8787

8 and

9 MARK S. BOSCO

10 Arizona Bar No. 010167

11 TIFFANY & BOSCO, P.A.

12 2525 East Camelback Road, Suite 300

13 Phoenix, Arizona 85016

14 Telephone (602) 255-6000

15 Wells Fargo Bank, N.A.

16 09-75816/0066025917

17 **UNITED STATES BANKRUPTCY COURT**

18 **DISTRICT OF NEVADA**

19 IN RE:

BK-S-09-24394-lbr

20 Frankie J. Davis

Chapter 13

21 Debtor.

Date: October 22, 2009

Time: 1:30 p.m.

22 **AMENDED OBJECTION TO CONFIRMATION OF PROPOSED CHAPTER 13 PLAN**

23 Wells Fargo Bank, N.A.. Secured Creditor in the above-entitled Bankruptcy proceeding, hereby
24 submits the following objection to that certain Chapter 13 Plan proposed by the Debtor:

25 This objecting secured creditor holds the first Deed of Trust on the subject property generally
26 described as 2113 Barhill Avenue, North Las Vegas, NV 89130. As of November 9, 2009, the amount in
default was actually \$29,307.94, pursuant to the proof of claim filed on August 19, 2009. The Debtors'
Chapter 13 Plan lists the arrearage owing to Secured Creditor as \$00.00. Secured creditor requests that the

1 arrearages as set forth in the Proof of Claim be filed through the Plan. A copy of the Secured Creditor's
2 Proof of Claim is attached hereto as Exhibit "A" and made a part hereof by this reference.

3 Any Chapter 13 Plan proposed by the Debtor must provide for and eliminate of the Objections
4 specified above in order to be feasible and to provide adequate protection to this Secured Creditor.

5 It is respectfully requested that Confirmation of the Chapter 13 Plan as proposed by the Debtor be
6 denied.

7 WHEREFORE, Secured Creditor prays as follows:

- 8 1. That confirmation of the proposed Chapter 13 Plan be denied;
9 2. For attorney's fees and costs incurred herein;
10 3. For such other and further relief as this Court deems just and proper.

11 DATED this 9 day of Nov, 2009.

12
13 WILDE & ASSOCIATES

14
15 By _____

16 **Gregory L. Wilde, Esq.**
17 Attorney for Secured Creditor
18 208 South Jones Boulevard
19 Las Vegas, NV 89107
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17 UNITED STATES BANKRUPTCY COURT
18 SOUTHERN DISTRICT OF NEVADA

19 IN RE:

20 Frankie J. Davis

21 Debtors,

BK-S-09-24394-lbr

Chapter 13

Date: : October 22, 2009
Time: 1:30 p.m.

22 **CERTIFICATE OF MAILING OF OBJECTION TO CONFIRMATION OF PROPOSED**
23 **CHAPTER 13 PLAN**

24 1. On ____11/9/2009____ I served the following documents(s):

25 OBJECTION TO CONFIRMATION OF PROPOSED CHAPTER 13 PLAN

26 2. I served the above-named document(s) by the following means to the persons as listed below:

1
2 **X a. ECF System**

3 David Krieger
4 1020 Garces, Suite 100.
5 Las Vegas, NV 89101
6 Attorney for Debtor

7 Kathleen A Leavitt
8 201 Las Vegas Blvd., So. #200
9 Las Vegas, NV 89101
10 Trustee

11 **X b. United States mail, postage fully prepaid:**

12 Frankie J. Davis
13 2113 Barhill Ave.
14 North Las Vegas, NV 89084
15 Debtor

16 **☐ c. Personal Service** (List persons and addresses. Attach additional paper if necessary)

17 I personally delivered the document(s) to the persons at these addresses:

18 ☐ 1. For a party represented by an attorney, delivery was made by handing the
19 document(s) to the attorney's office with a clerk or other person in charge, or if no one is charge
20 by leaving the document(s) in a conspicuous place in the office.

21 N/A

22 ☐ 2. For a party, delivery was made by handing the document(s) to the party or
23 by leaving the document(s) at the person's dwelling house or usual place of abode with someone
24 of suitable age and discretion residing there.

25 N/A

26 **☐ d. By direct mail (as opposed to through the ECF System)**

Based upon the written assignment of the parties to accept service by email or a court order. I
caused the document(s) to be sent to the persons at the mail addresses listed below. I did not receive,
within a reasonable time after the transmission, any electronic message or other indication that the
transmission was unsuccessful.

☐ e. By fax transmission

Based upon the written assignment of the parties to accept service by fax transmission or a court order. I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ f. By messenger

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Signed on : 11/9/2009

Miller